

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

Localism Task Force

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Docket No. RM-10803

WRITTEN COMMENTS OF
THE REVEREND ROBERT P. CHRYSAFIS

My name is The Reverend Robert P. Chrysafis. I am a member of the clergy, affiliated with UNIVERSAL LIFE MINISTRIES, in northwestern New Jersey.

I am also an aspiring Low Power AM broadcaster. As such, I urge the FCC's Localism Task Force to recommend swift action by the full Commission to:

- (A) Docket for public comment the Petition For Rulemaking, to establish a Low Power AM Radio Service, that was filed with the FCC's Office of the Secretary by Fred Baumgartner, C.P.B.E. of Colorado and then placed in FCC Docket RM-10803, by Mr. Baumgartner and Nickolaus E. Leggett of Virginia, on October 22, 2003

AND

- (B) Issue a Notice Of Proposed Rulemaking, based upon the Baumgartner LPAM Petition, which incorporates Primary Service Status for LPAM stations and the other modifications recommended by THE LPAM TEAM in its Joint Written Comments of December 5, 2003

Also, since AM stations are especially vulnerable to interference from In Band On Channel (IBOC) Digital Radio, LPAM will need protection from IBOC interference.

Let me stress that the new Low Power AM Service should be established in addition to, not instead of, expansion of the current Low Power FM Radio Service.

LPFM expansion is amply justified, and long overdue, but Low Power AM -- at least in the form proposed in the Baumgartner LPAM Petition -- offers uniquely valuable attributes of its own.

1. Unless Congress and the FCC are willing to adopt *primary* adjacent channel spacing reform for the existing Low Power FM Radio Service, a new Low Power AM Radio Service seems to be the *only* way to bring *any* kind of Low Power Radio into many large urban areas -- or into other areas in which the FM Band is too congested for the placement of new LPFM stations. In this regard, the FCC should review carefully the December 22, 2003 Written Comments of the MICHIGAN MUSIC IS WORLD CLASS! CAMPAIGN and the December 21, 2003 study of the Metropolitan Detroit radio spectrum by REC NETWORKS of Arizona. The REC NETWORKS study can be found at <http://www.recnet.com/fcc/LPFM-detroit.pdf>

2. A new Low Power AM Radio Service can “hit the ground running”, in a way that the current LPFM Service did not, because the LPAM Service can draw upon a pre-existing pool of experienced broadcasting talent: that is, those who manage, operate and/or otherwise staff the many *Part 15* AM stations in America. Hundreds of these stations, if not thousands, are broadcasting, legally, throughout the U.S.A. right now -- at power levels of half a watt or less. Having honed the skills to survive at or below this *ultra*-Low Power wattage, the individuals who staff these Part 15 AM stations, and indeed the Part 15 stations themselves, may be ready to work wonders at 30 or 100 watts.

3. Like AM radio itself, Low Power AM has its own distinctive propagation characteristics -- as well as other operational qualities which make it different from Low Power FM. Even in areas, such as small towns and cities, where LPAM is not the *only* Low Power Radio option, its distinctive qualities may still make it the *better* option.

Why not allow aspiring Low Power Radio broadcasters a *choice* of options?

4. As envisioned in the Baumgartner LPAM Petition, the new LPAM Service would allow participating stations the option of airing commercials if they choose to do so. This policy would open an outlet for the creative energies of the "Mom and Pop" stations -- and the upwardly mobile, entrepreneurial, potential Class A stations of the future. Both have been *100% excluded* from the current LPFM Service.

The same policy would also create opportunities for affordable advertising by local retailers, who are priced off the airwaves by today's large, national-to-international, megacorporate broadcasting chains.

Further, all of this can be done *without* re-opening the 100% non-commercial status of the current LPFM Service. On The Other Hand: Unless a new, commercial Low Power Radio Service is created, to complement the current LPFM Service, the need to promote economic growth, and to honor individual aspirations for upward mobility, may ultimately compel the FCC to re-visit the current regulatory arrangements for LPFM.

If only one Low Power Radio Service is going to offer the option of airing commercials, LPAM should be the Service that is chosen.

There is, after all, a reason why open frequencies are easier to find on the AM Band than they are on the FM Band. That reason is simple: Economics. Under current circumstances, when so many radio listeners no longer check stations on the AM Band at all, it is significantly more difficult to stay solvent with a typical AM station than with a typical FM station. As a practical matter, the new Low Power AM broadcasters will have to develop programming with superior appeal, *and also* publicize it effectively, if they are going to succeed.

Given the higher risks that a typical Low Power AM station will face, it is only fair to allow it to earn profits on its enterprise, even if a typical Low Power FM station -- constituting as it does a *comparatively* lower risk proposition -- continues to be denied the option of airing commercials.

In addition, the option of airing commercials may prove to be a practical necessity if the Commission expects to draw new Low Power AM stations into the most seriously under-served rural areas. In these areas, the economic risks are generally greatest.

Even *with* the option of airing commercials, it may be difficult to attract new, local broadcasters to the AM Band in such locations.

5. The Baumgartner Petition for a Low Power AM Radio Service would also allow licenses to be awarded to *individuals*, rather than reserving licenses for organizations alone. Individuals are *100% excluded* from the current Low Power FM Service -- and even organizations are penalized, in the case of competing

applications, if they are newcomers rather than established non-profit groups.

Just as the profit motive -- and, with it, the desire to sell air time -- is deeply embedded in the American psyche, so is the desire for *individual ownership and control* a fundamental feature of many American dreams. *These drives for individual achievement, and individual advancement along with it, will not go away.*

This leaves the FCC with a fundamental choice. The FCC can choose to open an avenue for expression of these drives by creating a second, complementary Low Power Radio Service for those upwardly mobile American *individuals* who are, at present, *100% excluded* from Low Power Radio licenses. Alternatively, the FCC can choose to continue its rigid and sweeping exclusion of individualism and commercial enterprise from *absolutely every corner* of the Low Power Radio community. If the FCC chooses to remain on this current course, it runs the risk that political pressures, for a way into the currently closed domain of Low Power Radio, will build and build to the boiling point -- until the Commission is ultimately compelled, by Congress or other forces, to undo and re-do much of its long, hard work on Low Power FM.

While the Baumgartner LPAM Petition, as improved by the LPAM TEAM recommendations of December 5, offers the advantages I have discussed above, an expansion of the established Low Power FM Radio Service is *also* vitally important for the restoration and expansion of localism in broadcasting.

On a nationwide basis, apart from those densely populated areas where the FM Band is highly congested, many frequencies can be opened for new LPFM stations through a combination of:

- (C) Restraining and reversing the proliferation of satellators, and other long distance translators, as proposed in the multi-party Petition For Expedited Relief, Through Rulemaking, that was filed in this Docket by THE AMHERST ALLIANCE and others on November 14, 2003

AND

- (D) Implementing the recommendation of the MITRE Corporation, in an independently formulated Report that was released by the Commission on July 10, 2003, that third adjacent channel spacing requirements for LPFM stations should be repealed

For the reasons I have stated, I urge the FCC to take the steps I have recommended.

Respectfully submitted,

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Dated: _____
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